

Oct 28, 2006

EPA
Suite 300
999 18th ST.
DENVER, CO. 80202

Paul Peronard.

This letter is in response to the Oct.27, 2006 letter that was hand delivered by Paul Lammers on the same day. I understand that the same letter will arrive by mail within the next few days.

I would like to ask you at this time why you have not responded to our letter sent on Sept. 18, 2006 and another completely different letter Oct. 22, 2006. I believe that all three of these letters provide a more complete review of what our concerns are at this time.

Your reply to the Reimbursement Section V1 Modifications needs to be forwarded to Mr. Eric Thueson in Helena and Mr. Tom Lewis in Great Falls. I believe the question which needs to be answered is simply - Did you complete the Response Actions at the Screening Plant prior to the issuance of the NOA on June 16,2006. These gentleman as I have previously related to you were instrumental in drafting the Reimbursement Agreement .

Their addresses are:	Lewis, Huppert, & Slovak	Thueson & Lamb
	Attorneys at Law	Attorney at Law
	PO Box 2325	PO Box 280
	Greet Fall, MT	Helena , MT
	59403	59024-0280

LET US CUT TO THE CHASE ON THE EIGHT ITEMS UNDER THE SECOND HEADING.

1.) Potable Water Well- ***Hell NO***, I did not agree that this action was completed prior to the NOA. You handed the NOA to us and then gave us ***your*** report on test results of the samples.

JUST A QUICK NOTE PAUL:

In 2003 you folks drilled a domestic well and had it sampled. In 2005 you presented that information to my wife and I for the first time. **WE had the water tested and gave you the results. The well was not fit to use! You then drilled a second well in 2006.**

2.) The Kentucky Blue grass was sown on **OCT.22.2006**. Just over one year after Max Dodson sent us the letter dated **OCT 12, 2005**. As of Oct.22, 2006 this issue is complete.

5.) Lack of pressure at the frost free faucet.

- You understand that *we* have investigated and fixed the water pressure at this location. This is **now** completed.

We dug, it up gave Paul Lammers the results of the problem, replaced the faucet and filled up the hole. July 26. 2006. You folks have never acknowledged responsibility for the problem, said thank you or offered to pay for excavation.

Unforeseen conditions:

7.) "I indicated the pressure loss in the portable water line in **Sept. 2006** " This report was handed to us by Paul Lammers of CDM on **Oct. 23, 2006**.
Actually it is still under investigation.

8.) No mention of # 8 that was the irrigation line going under the Hi-way to the mine side. Fixed on **July-29, 2006, by CDM**.

You folks are Right! at the time of this letter **OCT. 27,2006** all of the responses except one have been resolved that is Mike Cirien and the plumber.

Item #3 - Meeting in Aug 2006, what you agreed to Paul was drafting a letter to us which would address the questions brought up at that meeting. You wanted to talk to Mike Cirian. Here we are today **OCT. 27,2006** looking at your written proposal on how you intend on handling the NOA and other issues.

Once again Paul the last sentence of Page- II "The property is currently available to you for your use and occupancy as per the NOA issued **June 16,2006**.

At this point Paul I would truly ask that you read through the information within this enclosed packet that goes back to **March 24, 2004**. It is simply labeled "March 24, 2004"

I understand that this is the way the EPA does a lot of its business.

This **March 24, 2004** situation is not acceptable to us and neither would the letter we are responding to, now if it was made apparent that it was not drafted by you.

It certainly presents a style that Mike Cirian uses in his letter writing. The argument that "the property is safe for occupancy and Response Actions can be assessed after NOA" seem to follow the gist of his letters.

In closing we would mention that yesterday Mr. Lammers presented us a letter from Mike Cirian relating to the connex boxes. They will be picked up on Feb. 28, 2006. I understand that Mr. Lammers called you and discussed our concerns at this point in time. You apparently feel that you are locked in on the comments of your **Oct. 27, 2006** letter. We truly ask that you review the contents of *this* letter, and either call or write to us with a very timely response.

We will be leaving for North Carolina on Monday **Oct. 30, 2006** and we appreciate your offer to have folks from CDM help move our possessions out of the connex boxes today or Sunday. However, MY feelings may be biased but we got the notice yesterday and you want it out of the boxes tomorrow because we are going to be gone on **Feb.- 28, 2006**.

I hate to think that things have gotten that bad between us. We will be back in late March. When the weather would allow a better time for their removal. Please tell us if you are not in favor of waiting for our return.

Sincerely,

A handwritten signature in cursive script that reads "Mel & Lerah Parker". The signature is written in dark ink and is positioned above the printed name.

Mel & Lerah Parker